

THE HONORABLE RONALD B. LEIGHTON
UNITED STATES DISTRICT COURT JUDGE

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

DANIEL BERRY,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social
Security

Defendant.

NO. C08-5149RBL

PLAINTIFF'S REQUEST FOR TRANSFER OF
VENUE AND PROPOSED ORDER RE VENUE
FOR CONSIDERATION OF EAJA WARD
UNDER EAJA 28 U.S.C. § 2412

Plaintiff will seek an award of attorney's fees pursuant to the Equal Access to Justice Act (EAJA) 28 U.S.C § 2412, *et. seq.* following the remand of this case from the Ninth Circuit Court of Appeals and asserts that the appropriate court for determination of fees in the United States District Court for the Western District of Washington at Tacoma. Defendant does not object to the transfer of this case to the United States District Court for the Western District of Washington at Tacoma for consideration of Plaintiff's application for EAJA fees and the Defendant's Response to such application. The prior stipulation is withdrawn as there were errors in this document.

Dated this 2nd day of December 2010.

/s/ Charles W. Talbot
Charles W. Talbot, WSBA # 7448
Attorney for Plaintiff

Approved by phone call on December 2, 2010
L. Jamala Edwards
Special Assistant United States Attorney
Attorney for Defendant

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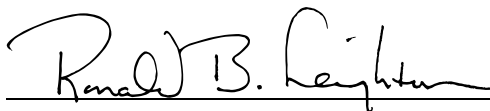
PLAINTIFF'S REQUEST FOR TRANSFER OF VENUE
AND PROPOSED ORDER RE VENUE FOR CONSIDERATION
OF EAJA AWARD UNDER EAJA 28 U.S.C. § 2412 - 1

ORDER/JUDGEMENT

Based on the foregoing, and the court agreeing, therefore it is hereby

ORDERED, ADJUDGED, DECREED, that the plaintiff's application for an award of fees pursuant to 28 U.S.C. § 1920 shall be adjudicated by this court following the filing of plaintiff's application and the defendant's response to such application.

Dated this 2nd day of December 2010.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Charles W. Talbot

Charles W. Talbot WSBA #7448
Attorney for Plaintiff

Approved per phone call on December 2, 2010

Jamala Edwards
Special Assistant United States Attorney
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